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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/718,474	11/20/2003	Rodney J. Farley	43367-0300	1046
21611 7590 11/15/2007 SNELL & WILMER LLP (OC) 600 ANTON BOULEVARD SUITE 1400 COSTA MESA, CA 92626			EXAMINER SHAN, APRIL YING	
			ART UNIT 2135	PAPER NUMBER
			MAIL DATE 11/15/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/718,474

Applicant(s)

FARLEY ET AL.

Examiner

April Y. Shan

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 August 2007 and 08 May 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) 14, 15, 18 and 21 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-13, 16-17, 19-20 and 22-24 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Claims 1-13, 16-17, 19-20 and 22-24 have been examined.

Election/Restrictions

2. Applicant's election Species I (Claims 1-13, 16-17, 19-20 and 22-24) with traverse, in the reply filed on 29 August 2007 is acknowledged. However, because the Applicant did not distinctly and specifically point out the supposed errors in the restriction requirement, the election has been treated as an election without traverse (M.P.E.P. § 818.03(a)).

The Applicant further stated that Species II (Claims 15, 18 and 21) and Species III (Claim 14) are hereby withdrawn.

Response to Amendment

3. The Applicant's amendment, filed 08 May 2007, has been received, entered into the record, and respectfully and fully considered.
4. As a result of the amendment, claim 1 has been amended and claims 22-24 are newly added claims. Claims 1-13, 16-17, 19-20 and 22-24 are now presented for examination
5. Any objections or rejections not repeated below for record are withdrawn due to Applicant's amendment/explanation/cancellation.

Claim Objections

6. Claim 24 is objected to because of the following informalities: Claim 24 is grammatically incomprehensible. Appropriate correction is required.

Claim Rejections - 35 USC § 112

7. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

8. Claim 24 is rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

As per **claim 24**, "wherein the wireline communication unit is a serial communication device is a local area wireless connection that can only communicate within the network on the mobile platform". The examiner carefully and respectfully reviewed the Applicant's original disclosure, in paragraph [0029] of the published publication of the current application, the Applicant discloses "The wireline communication unit 112 can alternatively be a local area wireless connection....". Clearly, the added new claim has no support in the original disclosure of being both a serial communication device and a local area wireless connection.

Claim Rejections - 35 USC § 103

9. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

10. The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

11. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

12. Claims 1-6, 8, 16-17, 19-20 and 22-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mitchell (U.S. Patent No. 6,741,841)

As per **claim 1**, Mitchell discloses in a mobile communication system having an information content delivery system for delivering information to users aboard a mobile platform, a terminal data loading device permanently installed on the mobile platform, said terminal data loading device comprising:

a media unit ("Storage unit 52 can be a solid state memory, a disc drive capital or magnetic, a tape drive or other apparatus capable of storing video data or signals" – e.g. col. 7, lines 44-46) operatively connectable to a transportable media element containing media data ("storage unit 52 can include stored video data and audio data...Alternatively, storage unit 52 can include an on-board source, such as, video discs or video tapes...Alternatively, storage unit 52 can receive the video data through a direct wireless link..." – e.g. col. 7, lines 35-46), the media unit being capable of reading the media data from the media element and outputting a media signal (e.g. col. 7, lines 35-46);

a control processor unit ("...computer based" – e.g. col. 7, line 24. Please note a control processor unit must reside in a computer) for receiving the media signal from the media unit and outputting an information signal (e.g. col. 7, lines 24-34); and
a communication unit (e.g. col. 7, lines 65-66) for receiving the information signal and outputting a signal to a network (e.g. fig. 1). on the mobile platform ("mobile platform 35" in fig. 1 and abstract)

Mitchell does not disclose expressly the communication unit is a wireline communication unit and outputting a wireline signal. However, Mitchell discloses in col. 6, lines 34-37, "system 32 can be similar to an in-flight entertainment system for an

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airplane and includes a receiver 50, a storage unit 52, a network 54, and a display 56” and in fig. 2 and col. 8, lines 1-6, Mitchell discloses receiver 50 can include dual receivers.

To a person with ordinary skill in the art at the time of the invention, a conventional in-flight environment includes a wireline communication unit for receiving the information signal and outputting a wireline signal to a network since the in-flight entertainment system uses wire to carry a video signal extends to the passenger’s display unit from the network of the in-flight entertainment environment.

At the time of the invention it would have been obvious to a person of ordinary skill in the art to incorporate wireline communication unit into Mitchell’s system and to output a wireline signal.

The motivation of doing so would have been “display 56 can advantageously provide continuous visual images and audio content, whether or not platform 35 can receive signals from relay 38”, as taught by Mitchell (col. 7, lines 24-34)

As per **claim 2**, Mitchell discloses a device as applied above in claim 1. Mitchell further discloses wherein the wireline communication unit can receive a wireline signal from a network on a mobile platform and output an information signal (please see above rationale in rejection claim 1), wherein the control processor unit can receive an information signal from the wireline communication unit and output a media signal (e.g. fig. 1 and please see above rationale in rejecting claim 1), and wherein the media unit can receive a media signal from the control processor unit and write the media signal to

a transportable media element, the media unit being operatively connectable to the transportable media element (e.g. fig. 1 and please see above rationale in rejecting claim 1).

As per **claim 3**, Mitchell discloses a device as applied above in claim 1. Mitchell further discloses a wireless communication unit ("Receiver 50 in fig. 1 can be any type of wireless communication unit capable of receiving video data from relay 38" – e.g. col. 7, lines 8-17) for receiving an information signal from the control processor unit and sending a wireless signal to a receiving wireless communication unit in a wireless network, the receiving wireless communication unit outputting an information signal to the control processor unit (e.g. col. 3, lines 25 –30 and col. 6, line 49 – col. 7, line 17).

As per **claim 4**, Mitchell discloses a device as applied above in claim 1. Mitchell further discloses wherein the media element is a Digital Versatile Disk (DVD) (e.g. col. 7, line 38) and the media unit is a DVD drive (e.g. col. 7, lines 44-45 and col. 9, lines 15-20).

As per **claim 5**, Mitchell discloses a device as applied above in claim 1. Mitchell further discloses wherein the media element is a Compact Disc (CD) (e.g. col. 7, line 38) and the media unit is a CD drive (e.g. col. 7, lines 44-45 and col. 9, lines 15-20).

As per **claim 6**, Mitchell discloses a device as applied above in claim 1. Mitchell further discloses wherein the media element is a solid-state memory stick (e.g. col. 7, lines 44-46) and the media unit is a memory stick interface for reading and writing the memory stick (e.g. col. 9, lines 15-20)

As per **claim 8**, Mitchell discloses a device as applied above in claim 1. Mitchell further discloses wherein the media element can be safely used on the mobile platform without requiring a mobile platform precertification of the media element against harmful interactions with the mobile platform (e.g. col. 2, lines 62-64).

As per **claims 16 and 17**, they are rejected using the same rationale as rejecting claims 1-3.

As per **claims 19-20**, Mitchell discloses a method of off-loading content for use with a terminal data loader device on a mobile platform (e.g. col. 3, lines 16-25), comprising: connecting a transportable media element to a media unit (see above rationale in rejecting claim 1); receiving a wireline signal with a wireline communication unit connected to a network on a mobile platform (see above rationale in rejecting claim 1, col. 11, lines 21-30, col. 12, line 64- col.13, line 15 and figs. 1, 3-5); translating the wireline signal with the wireline communication unit to produce an information signal (see above rationale in rejecting claim 1, col. 11, lines 21-30, col. 12, line 64- col.13, line 15 and figs. 1, 3-5); sending the information signal from the wireline communication

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unit to a control processor unit (see above rationale in rejecting claim 1, col. 11, lines 21-30, col. 12, line 64- col.13, line 15 and figs. 1, 3-5); processing the information signal with the control processor unit to produce a media signal (see above rationale in rejecting claim 1, col. 11, lines 21-30, col. 12, line 64- col.13, line 15 and figs. 1, 3-5); sending the media signal from the control processor unit to the media unit (see above rationale in rejecting claim 1, col. 11, lines 21-30, col. 12, line 64- col.13, line 15 and figs. 1, 3-5); and writing the media signal to the transportable media element with the media unit so that the transportable media element contains media data corresponding to the media signal (see above rationale in rejecting claim 1, col. 11, lines 21-30, col. 12, line 64- col.13, line 15 and figs. 1, 3-5) and receiving a wireless signal from a wireless network with a wireless communication unit (see above rationale in rejecting claim 1, col. 11, lines 21-30, col. 12, line 64- col.13, line 15 and figs. 1, 3-5); translating the wireless signal with the wireless communication unit to produce an information signal (see above rationale in rejecting claim 1, col. 11, lines 21-30, col. 12, line 64- col.13, line 15 and figs. 1, 3-5); and sending the information signal to the control processor unit (see above rationale in rejecting claim 1, col. 11, lines 21-30, col. 12, line 64- col.13, line 15 and figs. 1, 3-5).

As per **claim 22**, Mitchell further discloses wherein the wireline communication unit is an Ethernet device, a fiber channel device, a token ring device, or a universal-serial-bus device ("...The terminal distribution system may be an Ethernet, IEEE 1394, or other high-speed data distribution system" - e.g. col. 11, line 64 – col. 12, line 14).

As per **claim 23**, Mitchell further discloses wherein the wireline communication unit is a serial communication device that conforms to an accepted standard ("...over an universal serial bus, Ethernet or serial data bus 273 such as IEEE 1394..." – e.g. col. 20, lines 22-32).

As per **claim 24**, Mitchell further discloses wherein the wireline communication unit is a serial communication device is a local area wireless connection that can only communicate within the network on the mobile platform ("...for a wireless connectivity between an aircraft and an airport terminal..." – e.g. col. 3, lines 24-30, col. 6, lines 49-59, col. 7, lines 8-16 and col. 7, lines 24-34)

13. Claims 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Mitchell (U.S. Patent No. 6,741,841) as applied to claim 1 above, and further in view of Chan (U.S. Patent No. 6,775,087).

As per **claim 7**, Mitchell discloses the storage unit 52 can include "tape drives" in col. 9, line 18.

Mitchell does not expressly disclose wherein the media element is a Advanced Intelligent Tape (AIT) and the media unit is an AIT drive.

Chan discloses wherein the media element is a Advanced Intelligent Tape (AIT) and the media unit is an AIT drive (e.g. col. 3, lines 31-57).

Mitchell and Chan are analogous art because they are from the same field of endeavor of using tape drive to store data.

At the time of the time invention, it would have been obvious for a person with ordinary skill in the art to incorporate Chan's AIT and AIT drive into Mitchell's device.

The motivation of doing so would have been "access data at any one of up to 256 partitions in the magnetic tape without rewinding to the beginning of the magnetic tape and reading the system log to find the desired file", as taught by Chan (col. 3, lines 52-57)

14. Claims 9-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mitchell (U.S. Patent No. 6,741,841) as applied to claim 1 above, and further in view of Benaloh (U.S. Patent No. 6,886,098).

As per **claim 9**, Mitchell discloses a device as applied above in claim 1.

Mitchell does not disclose expressly a security processor unit for receiving an encrypted media signal and outputting an unencrypted media signal based on one or more predetermined cryptographic keys and utilizing a predetermined cryptographic algorithm, the security processor unit for receiving an unencrypted media signal and outputting an encrypted media signal based on one or more predetermined cryptographic keys and utilizing a predetermined cryptographic algorithm; and a physical key unit for receiving a physical key, the physical key unit and physical key for determining at least one cryptographic key, wherein a predetermined portion of the media data on the media element is encrypted.

Benaloh discloses a security processor unit for receiving an encrypted media signal and outputting an unencrypted media signal based on one or more predetermined cryptographic keys and utilizing a predetermined cryptographic algorithm, the security processor unit for receiving an unencrypted media signal and outputting an encrypted media signal based on one or more predetermined cryptographic keys and utilizing a predetermined cryptographic algorithm; and a physical key unit for receiving a physical key, the physical key unit and physical key for determining at least one cryptographic key, wherein a predetermined portion of the media data on the media element is encrypted (e.g. col. 6, line 22- col. 7, line 30).

Mitchell and Benaloh are analogous art because they are from the same field of endeavor of in-flight entertainment system.

At the time of the invention it would have been obvious to a person of ordinary skill in the art to incorporate a security processor unit for receiving an encrypted media signal and outputting an unencrypted media signal based on one or more predetermined cryptographic keys and utilizing a predetermined cryptographic algorithm, the security processor unit for receiving an unencrypted media signal and outputting an encrypted media signal based on one or more predetermined cryptographic keys and utilizing a predetermined cryptographic algorithm; and a physical key unit for receiving a physical key, the physical key unit and physical key for determining at least one cryptographic key, wherein a predetermined portion of the media data on the media element is encrypted into Mitchell's device.

The motivation for doing so would have been “any suitable type digital content is to be protected”, as taught by Benaloh (col. 6, lines 24-26)

As per **claim 10**, the combined teachings of Mitchell and Benaloh disclose a device as applied above in claim 9. Mitchell and Benaloh further disclose wherein the wireline communication unit can receive a wireline signal from a network on a mobile platform and output an information signal (please see above rationale in rejecting claim 1), wherein the control processor unit can receive the information signal from the wireline communication unit and output an unencrypted media signal (please see above rationale in rejecting claim 1 and Benaloh – e.g. col. 6, lines 25-29), wherein the security processor unit can receive the unencrypted media signal and output an encrypted media signal (please see above rationale in rejecting claim 9), and wherein the media unit can receive an encrypted media signal from the security processor unit and write the encrypted media signal to a transportable media element, the media unit being operatively connectable to the transportable media element (please see above rationale in rejecting claims 1 and 9).

15. Claims 11-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over the combined teachings of Mitchell (U.S. Patent No. 6,741,841) and Benaloh (U.S. Patent No. 6,886,098) as applied to claim 9 above, and further in view of Schneier (“Applied cryptography second edition”, published in 1996)

As per **claims 11 and 13**, the combined teachings of Mitchell and Benaloh disclose a device as applied above in claim 9. Benaloh further discloses wherein the

predetermined cryptographic algorithm is a symmetric key algorithm (e.g. col. 6, line 34).

Mitchell and Benaloh do not disclose expressly wherein the symmetric key algorithm is the digital encryption standard (DES), the triple-DES (3DES) protocol, or the advanced encryption standard (AES).

Schneier discloses the symmetric key algorithm is the digital encryption standard (DES), the triple-DES (3DES) protocol, or the advanced encryption standard (AES) (e.g. page 17).

Mitchell-Benaloh and Schneier are analogous art because they are from the same field of endeavor of using cryptography to protect data.

At the time of the invention it would have been obvious to a person of ordinary skill in the art to incorporate the symmetric key algorithm is the digital encryption standard (DES), the triple-DES (3DES) protocol, or the advanced encryption standard (AES) into Mitchell-Benahoh's device.

The motivation of doing so would have been "DES is the most popular computer encryption algorithm. DES is a U.S. and international standard", as taught by Schneier (page 17).

As per **claim 12**, the combined teachings of Mitchell and Benahoh disclose a device as applied above in claim 9. Benaloh further discloses wherein physical key unit determines at least one cryptographic key pair comprising a public and private key (e.g. col. 6, lines 44-48).

Mitchell-Benahoh does not disclose expressly the predetermined cryptographic algorithm is an asymmetric key algorithm.

Schneier discloses "an asymmetric key algorithms are designed so that the key used for encryption is different from the key used for decryption... In these systems, the encryption key is often called the public key, and the decryption key is often called private key." (pages 4-5)

Mitchell-Benaloh and Schneier are analogous art because they are from the same field of endeavor of using cryptography to protect data.

At the time of the invention it would have been obvious to a person of ordinary skill in the art to incorporate the asymmetric key algorithm into Mitchell-Benaloh's device.

The motivation of doing so would have been "the decryption key cannot be calculated from the encryption key... only a specific person with the corresponding decryption key can decrypt the message", as taught by Schneier (pages 4-5) and therefore enhance data security.

Response to Arguments

16. Applicant's arguments filed 8 May 2007 have been respectfully and fully considered but they are not persuasive.

17. Applicant argues on pages 11-13 that claim 14 is not anticipated by Benaloh and claims 15, 18 and 21 are patentable over Mitchell in view of Benaloh. Due to Applicant withdrew claims 14-15, 18 and 21 from consideration (see page 11 of the remark submitted by the Applicant on 29 August 2007), the arguments are not considered.

18. Applicant argues on pages 13-15, "Mitchell does not teach or suggest a media unit operatively...being capable of reading the media data from the media element and outputting a media signal...a control processor unit for receiving the media...and outputting an information signal....Mitchell does not disclose if the control processor unit within Network..if it even outputs an information signal....", the examiner respectfully disagrees. First, the examiner respectfully points out that the Applicant admitted "storage unit 52 in the Mitchell reference is possibly a media element". Further, the Applicant's disclosure does not explicitly define a media unit. Therefore, the term should be given its broadest reasonable interpretation. The term should not be limited to preferred embodiments in the specification. The word should take on the ordinary and customary meaning attributed to it by those of ordinary skill in the art. See *In re ACTV, Inc. v. The Walt Disney Company*, 346 F.3d 1082, 1092, 68 USPQ2d 1516, 1524 (Fed. Cir. 2003) and *In re E-Pass Technologies, Inc. v. 3Com Corporation*, 343 F.3d 1364, 1368, 67 USPQ2d 1947, 1949 (Fed. Cir. 2003). In this case, Mitchell reference in fact teaches the claim limitation of a media unit ("Storage unit 52 can be a

solid state memory, a disc drive capital or magnetic, a tape drive or other apparatus capable of storing video data or signals" – e.g. col. 7, lines 44-46) operatively connectable to a transportable media element containing media data ("storage unit 52 can include stored video data and audio data... Alternatively, **storage unit 52 can include an on-board source, such as, video discs or video tapes...** Alternatively, **storage unit 52 can receive the video data through a direct wireless link...**" – e.g. col. 7, lines 35-46), the media unit being capable of reading the media data from the media element and outputting a media signal (e.g. col. 7, lines 35-46, "In Fig. 2, receiver 50 includes a direct receiver 60... **Direct receiver 60 is configured to receive signals from docking area 37 and is coupled to storage unit 52...**" – e.g. col. 8, lines 1-6 and "...**transmitter 70 can then receive video data from storage unit 74...**" – e.g. col. 8, lines 14-31). Second, Mitchell reference in fact teaches the claim limitation of a control processor unit ("Network 54 is a computer based network **that is capable of providing signals to display 56 from both storage unit 52 and receiver 50**" – e.g. col. 7, lines 24-26. Please note a control processor unit must reside in a computer) for receiving the media signal from the media unit and outputting an information signal ("Network 54 is a computer based network **that is capable of providing signals to display 56 from both storage unit 52 and receiver 50...**" - e.g. col. 7, lines 24-34).

19. The Applicant argues "claims 2-13 depended from and further limit claim 1 and are patentable for at least the reasons given above" and "All arguments for patentability with respect to claim 1 is repeated and reincorporated herein for claims 16-17 and 19-20 (remark, pages 15, 16 and 19), the examiner respectfully disagrees. Since the

argument for the independent claim 1 is traversed and claims 2-8, 11-13, 16-17 and 19-20 are dependent/similar claims, they are also not allowable.

The Applicant argues on page 15, "Mitchell also does not teach or suggest "wherein the media element... against harmful interactions with the mobile platform", the examiner respectfully disagrees. First, the Applicant's disclosure does not explicitly define harmful interactions. Therefore, the term should be given its broadest reasonable interpretation. The term should not be limited to preferred embodiments in the specification. The word should take on the ordinary and customary meaning attributed to it by those of ordinary skill in the art. See *In re ACTV, Inc. v. The Walt Disney Company*, 346 F.3d 1082, 1092, 68 USPQ2d 1516, 1524 (Fed. Cir. 2003) and *In re E-Pass Technologies, Inc. v. 3Com Corporation*, 343 F.3d 1364, 1368, 67 USPQ2d 1947, 1949 (Fed. Cir. 2003). Second, as clearly stated in the original record of rejection, Mitchell reference in fact teaches wherein the media element can be safely used on the mobile platform without requiring a mobile platform precertification of the media element against harmful interactions with the mobile platform ("... **The data is compressed and encrypted before transmission**" – e.g. col. 2, lines 62-64).

20. The Applicant argues "with respect to claim 19, Mitchell does not teach or suggest writing the media signal to the transportable media element with the media unit so that the transportable media element contains media data corresponding to the media signal", the examiner respectfully disagrees. Mitchell discloses in col. 13, lines 27-38, "...An aircraft gatelink media file server 135 in aircraft 120 receives the data **and stores it in an aircraft mass memory storage unit within aircraft gatelink file**

server 135 to later send to an in-flight entertainment system or other data distribution system on-board aircraft 120. Aircraft gatelink media file server 135 may also transmit the aircraft data from an aircraft mass memory unit within aircraft gatelink file server 135 on-board aircraft 120 over wireless gatelink 130 to gatelink store and forward media storage server 131”.

21. The Applicant argues Benaloh does not disclose “a security processor unit for receiving for...a physical key unit for receiving a physical key...for determining at least one cryptographic key”, the examiner respectfully disagrees. First, the Applicant’s disclosure does not explicitly define security processor unit and physical key unit. Therefore, the terms should be given its broadest reasonable interpretation. The term should not be limited to preferred embodiments in the specification. The word should take on the ordinary and customary meaning attributed to it by those of ordinary skill in the art. See *In re ACTV, Inc. v. The Walt Disney Company*, 346 F.3d 1082, 1092, 68 USPQ2d 1516, 1524 (Fed. Cir. 2003) and *In re E-Pass Technologies, Inc. v. 3Com Corporation*, 343 F.3d 1364, 1368, 67 USPQ2d 1947, 1949 (Fed. Cir. 2003). Second, the Benaloh reference in fact discloses “a security processor unit for receiving an encrypted media signal...the physical key unit and physical key for determining at least one cryptographic key” (e.g. col. 6, line 22- col. 7, line 30).

22. The Applicant argues “claim 10 further defines and narrows claim 9 and is patentable for the same reasons”, the examiner respectfully disagrees. Since the argument for claim 9 is traversed and claim 10 is a dependent claim, it is also not allowable.

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23. As per claims 23-24, they are newly added claims. It is noted that Applicant's arguments are directed towards limitations newly added via amendments.

Conclusion

24. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to April Y. Shan whose telephone number is (571) 270-1014. The examiner can normally be reached on Monday - Friday, 8:00 a.m. - 5:00 p.m., EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kim Y. Vu can be reached on (571) 272-3859. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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10 November 2007

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Thanhnga B. Truong AU2135

THANHNGA TRUONG
PRIMARY EXAMINER